

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE: CAROL WHITLEY Debtor)))))))	CASE NO: 13-41812-659 Chapter 13 Trustee's Objection to Confirmation Original Confirmation Hearing set for: May 16, 2013 11:00 am
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TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

COMES NOW John V. LaBarge, Jr., Standing Chapter 13 Trustee, and for his objection to confirmation states as follows:

1. The plan is distributing less to the unsecured creditors than they would receive under Chapter 7 liquidation. 11 U.S.C. § 1325(a)(4)
2. Debtor lacks sufficient income to fund the plan.
3. Per schedules I and J, monthly expenses exceed monthly income such that debtor is not able to make plan payments. 11 U.S.C. § 1325(a)(6). If debtor does make plan payments, schedules I and J must be significantly incorrect and should be amended.
4. The plan is ambiguous or incapable of ascertainment (11 U.S.C. §§ 1321 & 1325(a)(3)) because:
SCHEDULE D OMITTS COLLATERAL. SCHEDULE I OMITTS EMPLOYER INFORMATION.
5. RE #1 PER SCHEDULE A DEBTOR OWNS RESIDENCE FREE AND CLEAR.

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: April 04, 2013

OBJCONFAP--KLW

/s/ John V. LaBarge, Jr.

John V. LaBarge, Jr.

Standing Chapter 13 Trustee

P.O. Box 430908

St. Louis, MO 63143

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trust33@ch13stl.com

The undersigned hereby certifies that he served the above notice on this day of April 04, 2013, either through the Court's ECF system or by ordinary mail, postage pre-paid, addressed to:

/s/ John V. LaBarge, Jr.

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04/04/2013

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CAROL WHITLEY

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